

Re. : Amendment and Response to Office Action Mailed January 9, 2008
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Filed : February 27, 2004

III. REMARKS

Claims 40, 41, 44-46, 49, 50, 58-60, 62 and 65-78 were previously pending in the application and the Office Action rejected Claims 40, 41, 44-46, 49, 50, 58-60, 62 and 65-78. By the foregoing amendments, Applicants amended Claims 40, 58, 68, 69, 70, 74, 75, 76, 77 and 78 to further clarify, more clearly define, broaden the claimed invention and/or expedite receiving a notice of allowance. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments. Applicants believe that Claims 40, 41, 44-46, 49, 50, 58-60, 62 and 65-78 are in condition for immediate allowance.

Please note that Applicants' remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' discussion and understanding of the references, if any, is consistent with the Examiner's. Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

A. Response to the First Section 103(a) Rejection

The Office Action rejected Claims 40, 41, 45-46, 49-50, 65-70 and 77 under 35 U.S.C. § 103(a) as being obvious over U.S. patent no. 4,168,669 issued to Arnoff in view of U.S. patent no.

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3,123,935 issued to Williams, U.S. patent no. 6,058,853 issued to Pinch and U.S. patent no. 5,681,102 issued to Forsgren.

The Office Action stated the Arnoff patent discloses a table comprising all the elements recited in the above listed claims including, such as shown in Figs. 2, 4-5 & 8, a table top 1 constructed from plastic, the table top including an upper surface and a lower surface that is spaced apart from the upper surface; at least two pairs of leg receiving recesses 20-22 disposed on the underside of the table top; a single support assembly 2 that is sized and configured to support the table top above a surface, the single support assembly being capable of moving between an extended position in which the single support assembly supports the table top above the surface and a collapsed position to facilitate storage of the table, the single support assembly including only two legs 23-24, the single support assembly comprising: a first leg including a body portion and an upper portion, the upper portion of the first leg being sized and configured to be selectively received and retained within one of the pairs of leg receiving recesses; and a second leg including a body portion and an upper portion, the upper portion of the second leg being sized and configured to be selectively received and retained within another of the pairs of leg receiving recesses, the first leg and second leg being pivotally interconnected to form a generally X-shaped configuration.

The Office Action acknowledged the differences being that the Arnoff patent does not disclose a frame connected to the lower surface of the table top having first and second rails disposed on respective first and second sides of the table top with each side rail having at least one guide, a drawer slidably connected to the lower surface of the table top and having outwardly extending

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flange sized and configured to contact the guides of the frame, and the table top constructed from blow-molded plastic including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface.

The Office Action contends the Williams patent teaches the idea of providing a table top with a drawer thereto in order to allow one or more items to be stored in the drawer. Therefore, the Office Action concludes that it would have been obvious at the time of the invention to modify the structure of Arnoff by providing the table top with a drawer in order to allow one or more items to be stored in the drawer, as taught by Williams, since both teach alternate conventional table top structure, used for the same intended purpose of supporting objects thereon, thereby providing structure as claimed.

The Office Action also contends the Pinch patent teaches the idea of a table top constructed from blow-molded plastic, the table top including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface; wherein the blow-molded plastic table top structure provides a lightweight, yet sturdy table top. Therefore, the Office Action concludes that it would have been obvious to modify the structure of Arnoff, as modified, by providing a table top constructed from blow-molded plastic, the table top including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface for the purpose of

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having a lightweight, yet sturdy table top, as taught by Pinch, since both each alternate conventional table top structure, used form the same intended purpose, thereby providing structure as claimed.

The Office Action asserts that the Forsgren patent shows that it s well known in the art to provide a frame structure with guides and a drawer with outwardly extending flanges being sized and configured to contact the guides of the frame in order to facilitate opening and closing of the drawer.

Therefore, the Office Action concludes that it would have been obvious to modify the structure of Arnoff, as modified by providing first and second rails disposed on respective first and second sides of the table top with each side rail having at least one guide, the drawer slidably connected to the lower surface of the table top and having outwardly extending flange sized and configured to contact the guides of the frame in order to facilitate opening and closing of the drawer, as taught by Forsgren, since both teach alternate conventional table top structure, used for the same intended purpose, thereby providing structure as claimed.

1. Claims 40-41, 45-46, 49-50 and 65-70

Applicants respectfully traverse this rejection because the Arnoff, Williams, Pinch and Forsgren patents, either alone or in combination, do not teach, suggest or disclose each and every element of Claims 40-41, 45-46, 49-50 or 65-70. Nonetheless, in order to further clarify, more clearly define, broaden the claimed invention and/or expedite receiving a notice of allowance, Applicants amended independent Claim 40 to provide, *inter alia*, the following:

a frame connected to the lower surface of the table top, the frame including a first side rail disposed on the first side of the table top and a second side rail disposed

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on the second side of the table top, the first side rail and the second side rail extending at least a majority of a length of the table top, the first side rail including at least one guide, the second side rail including at least one guide;

a drawer directly coupled to the first side rail and the second side rail of the frame, the drawer being movable between an open position and a closed position, the drawer including a first side wall and a second side wall, the first side wall including an outwardly extending portion that is sized and configured to contact the guide of the first side rail of the frame to allow the drawer to be slidably connected directly to the frame, the second side wall including an outwardly extending portion that is sized and configured to contact the guide of the second side rail of the frame to allow the drawer to be slidably connected directly to the frame

Thus, amended Claim 40 positively recites the first side rail and the second side rail extend at least a majority of a length of the table top. In addition, Claim 40 positively recites the drawer is directly coupled to the first side rail and the second side rail of the frame. Further, Claim 40 positively recites the first side wall including an outwardly extending portion that is sized and configured to contact the guide of the first side rail of the frame to allow the drawer to be slidably connected directly to the frame, the second side wall including an outwardly extending portion that is sized and configured to contact the guide of the second side rail of the frame to allow the drawer to be slidably connected directly to the frame.

The Arnoff, Williams, Pinch and Forsgren patents do **not** teach, suggest or disclose, *inter alia*, **a drawer directly coupled to the first side rail and the second side rail of the frame**. In addition, the Arnoff, Williams and Pinch patents, however, do **not** teach, suggest or disclose, *inter alia*, the first side wall including an outwardly extending portion that is sized and configured to contact the guide of the first side rail of the frame to allow **the drawer to be slidably connected directly to the frame**, the second side wall including an outwardly extending portion that is sized

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and configured to contact the guide of the second side rail of the frame to allow **the drawer to be slidably connected directly to the frame.**

Accordingly, Applicants respectfully request that this Section 103(a) rejection of Claim 40 be withdrawn. In addition, Applicants request that this rejection of Claims 41, 45-46, 49-50 and 65-70 be withdrawn at least because these claims are dependent upon amended Claim 40. Thus, 40-41, 45-46, 49-50 and 65-70 should be in condition for immediate allowance.

2. Claim 77

Applicants respectfully traverse this rejection because the Arnoff, Williams, Pinch and Forsgren patents, either alone or in combination, do not teach, suggest or disclose each and every element of Claim 77. Nonetheless, in order to further clarify, more clearly define, broaden the claimed invention and/or expedite receiving a notice of allowance, Applicants amended independent Claim 77 to provide, *inter alia*, the following:

a first plurality of guides connected to an interior portion of the first side rail of the frame;

a second plurality of guides connected to an interior portion of the second side rail of the frame;

an opening integrally formed in the downwardly extending lip as part of the unitary, one-piece construction;

a drawer directly coupled to the first side rail and the second side rail of the frame, the drawer being movable between an open position and a closed position, the drawer being at least partially disposed within the opening in the lip, the drawer including a first outwardly extending flange that is sized and configured to contact the first plurality of guides to facilitate opening and closing of the drawer, the first flange being integrally formed with the drawer as part of a unitary, one-piece construction, the drawer including a second outwardly extending flange that is sized and configured to contact the second plurality of guides to facilitate opening and

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closing of the drawer, the second flange being integrally formed with the drawer as part of a unitary, one-piece construction;

Thus, amended Claim 77 positively recites the first plurality of guides are connected to an interior portion of the first side rail of the frame; and a second plurality of guides are connected to an interior portion of the second side rail of the frame. In addition, Claim 40 positively recites the drawer is directly coupled to the first side rail and the second side rail of the frame. Further, Claim 40 positively recites the drawer includes a first outwardly extending flange that is sized and configured to contact the first plurality of guides to facilitate opening and closing of the drawer, the first flange being integrally formed with the drawer as part of a unitary, one-piece construction, the drawer including a second outwardly extending flange that is sized and configured to contact the second plurality of guides to facilitate opening and closing of the drawer, the second flange being integrally formed with the drawer as part of a unitary, one-piece construction.

The Arnoff, Williams, Pinch and Forsgren patents do **not** teach, suggest or disclose, *inter alia*, **a first plurality of guides connected to an interior portion of the first side rail** of the frame, **a second plurality of guides connected to an interior portion of the second side rail** of the frame; or **a drawer directly coupled to the first side rail and the second side rail of the frame**. In addition, the Arnoff, Williams and Pinch patents, however, do **not** teach, suggest or disclose, *inter alia*, a drawer including a first outwardly extending flange that is sized and configured to contact the first plurality of guides to facilitate opening and closing of the drawer, the first flange being integrally formed with the drawer as part of a unitary, one-piece construction, or a drawer including a second outwardly extending flange that is sized and configured to contact the second plurality of

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guides to facilitate opening and closing of the drawer, the second flange being integrally formed with the drawer as part of a unitary, one-piece construction.

Accordingly, Applicants respectfully request that this Section 103(a) rejection of Claim 77 be withdrawn.

B. Response to the Second Section 103(a) Rejection

The Office Action rejected Claim 44 under 35 U.S.C. § 103(a) as being unpatentable over the Arnoff patent, as modified, as applied to Claim 40 above, and further in view of U.S. patent no. 5,848,822 issued to Wu.

The Office Action states the Arnoff patent, as modified, discloses all the elements as discussed above, except for an opening integrally formed in a generally downwardly lip formed in the table top, the opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and the second leg are in a collapsed position.

The Office Action contends the Wu patent teaches the use of an opening integrally formed in a generally downwardly lip formed in a table top to provide a recessed retainment to be old. The Office Action concludes therefore it would have been obvious to modify the structure of Arnoff, as modified, to include an opening integrally formed in a generally downwardly lip formed in the table top, the opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and second leg are in a collapsed position, as taught by Wu, since teach alternate conventional table top structure used for the same intended purpose, thereby providing

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structure as claimed.

Applicants respectfully traverse this rejection because the Arnoff and Wu patents, either alone or in combination, do not teach, suggest or disclose each and every element of 44. Applicants, however, request that this rejection of Claim 44 be withdrawn at least because Claim 44 is dependent upon amended independent Claim 40.

C. Response to the Third Section 103(a) Rejection

The Office Action rejected Claims 58-60, 62, 71-76 and 78 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 4,168,669 issued to Arnoff in view of U.S. patent no. 3,123,935 issued to Williams, U.S. patent no. 6,058,853 issued to Pinch, U.S. patent no. 5,681,102 issued to Forsgren and U.S. patent no. 5,484,822 issued to Wu.

The Office Action stated the Arnoff patent discloses a table comprising all the elements recited in the above listed claims including, such as shown in Figs 2,4-5 & 8, a table top 1 constructed from plastic, the table top including an upper surface and a lower surface that is spaced apart from the upper surface; at least two pairs of leg receiving recesses 20-22 disposed on the underside of the table top; a single support assembly 2 that is sized and configured to support the table top above a surface, the single support assembly being capable of moving between an extended position in which the single support assembly supports the table top above the surface and a collapsed position to facilitate storage of the table, the single support assembly including only two legs 23-24, the single support assembly comprising: a first leg including a body portion and an

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upper portion, the upper portion of the first leg being sized and configured to be selectively received and retained within one of the pairs of leg receiving recesses; and a second leg including a body portion and an upper portion the upper portion of the second leg being sized and configured to be selectively received and retained within another of the pairs of leg receiving recesses, the first leg and second leg being pivotally interconnected to form a generally X-shaped configuration.

The Office Action acknowledged the differences being that the Arnoff patent does not disclose a frame connected to the lower surface of the table top having first and second rails disposed on respective first and second sides of the table top with each side rail having at least one guide, a drawer slidably connected to the lower surface of the table top and having outwardly extending flange sized and configured to contact the guides of a frame, and the table top constructed from blow-molded plastic including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface, and an opening integrally formed in a generally downwardly lip formed in the table top, the opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and second leg are in a collapsed position.

The Office Action contends that the Williams patent teaches the idea of providing a table top with a drawer thereto in order to allow one or more items to be stored in the drawer. Therefore, the Office Action concludes that it would have been obvious at the time of the invention to modify the structure of Arnoff by providing the table top with a drawer in order to allow one more items to be

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stored in the drawer, as taught by Williams, since both teach alternate conventional table top structure, used for the same intended purpose of supporting objects thereon, thereby providing structure as claimed.

The Office Action also contends that the Pinch patent teaches the idea of a table top constructed from blow-molded plastic, the table top including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface; wherein the blow-molded plastic table top structure provides a lightweight, yet sturdy table top. Therefore, the Office Action concludes that it would have been obvious to modify the structure of Arnoff, as modified, by providing a table top constructed from blow-molded plastic, the table top including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface for the purpose of having a lightweight, yet sturdy table top, as taught by Pinch, since both teach alternate conventional table top structure, used for the same intended purpose, thereby providing structure as claimed.

The Office Action asserts that the Forsgren patent shows that it is well known in the art to provide a frame structure with guides and a drawer with outwardly extending flanges being sized and configured to contact the guides of the frame in order to facilitate opening and closing of the drawer.

Therefore, the Office Action concludes that it would have been obvious to modify the structure of

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Arnoff, as modified, by providing first and second rails disposed on respective first and second sides of the table top with each side rail having at least one guide, the drawer slidably connected to the lower surface of the table top and having outwardly extending flange sized and configured to contact the guides of the frame in order to facilitate opening and closing of the drawer, as taught by Forsgren, since both teach alternate conventional table top structure, used for the same intended purpose, thereby providing structure as claimed.

Further, the Office Action asserts that the Wu patent teaches the use of an opening integrally formed in a generally downwardly lip formed in a table top to provide a recessed retainment to be old. Therefore, the Office Action concludes that it would have been obvious to modify the structure of Arnoff, as modified, to include an opening integrally formed in a generally downwardly lip formed in the table top, the opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and second leg are in a collapsed position, as taught by Wu, since both teach alternate conventional table having folding leg structure, used for the same intended purpose, thereby providing structure as claimed. In regard to claim 60, Arnoff, as modified by Wu by providing an opening, facilitates stacking of the table.

1. Claims 58-60, 62 and 71-76

Applicants respectfully traverse this rejection because the Arnoff, Williams, Pinch, Forsgren and Wu patents, either alone or in combination, do not teach, suggest or disclose each and every element of 58-60, 62 and 71-76. Nonetheless, in order to further clarify, more clearly define,

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broaden the claimed invention and/or expedite receiving a notice of allowance, Applicants amended independent Claim 58 to provide, *inter alia*, the following:

a frame connected to the table top, the frame including a first side rail disposed on a first side of the table top and a second side rail disposed on a second side of the table top, the first side rail and the second side rail extending at least a majority of a length of the table top, the first side rail including at least one guide and the second side rail including at least one guide;

a drawer directly coupled to the first side rail and the second side rail of the frame, the drawer being movable between an open position and a closed position, the drawer including a first side wall with an outwardly extending portion that is sized and configured to contact the guide of the first side rail to allow the drawer to be slidably connected directly to the frame, the drawing including a second side wall with an outwardly extending portion that is sized and configured to contact the guide of the second side rail to allow the drawer to be slidably connected directly to the frame;

Thus, amended Claim 58 positively recites, *inter alia*, the drawer is directly coupled to the first side rail and the second side rail of the frame. In addition, amended Claim 58 positively recites the drawer includes a first side wall with an outwardly extending portion that is sized and configured to contact the guide of the first side rail to allow the drawer to be slidably connected directly to the frame, the drawing including a second side wall with an outwardly extending portion that is sized and configured to contact the guide of the second side rail to allow the drawer to be slidably connected directly to the frame.

The Arnoff, Williams, Pinch, Forsgren and Wu patents, however, do not teach, suggest or disclose a drawer directly coupled to the first side rail and the second side rail of the frame. These patents also do not teach, suggest or disclose a drawer including a first side wall with an outwardly extending portion that is sized and configured to contact the guide of the first side rail to allow the

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drawer to be slidably connected directly to the frame, the drawing including a second side wall with an outwardly extending portion that is sized and configured to contact the guide of the second side rail to allow the drawer to be slidably connected directly to the frame.

Accordingly, Applicants respectfully request that this Section 103(a) rejection of Claim 58 be withdrawn. In addition, Applicants request that this rejection of Claims 59-60, 62 and 71-76 be withdrawn at least because these claims are dependent upon amended Claim 58. Thus, Claims 58-60, 62 and 71-76 should be in condition for immediate allowance.

2. Claim 78

Applicants respectfully traverse this rejection because the Arnoff, Williams, Pinch, Forsgren and Wu patents, either alone or in combination, do not teach, suggest or disclose each and every element of Claim 78. Nonetheless, in order to further clarify, more clearly define, broaden the claimed invention and/or expedite receiving a notice of allowance, Applicants amended independent Claim 78 to provide, *inter alia*, the following:

a frame connected to the lower surface of the table top, the frame including a first side rail disposed on the first side of the table top and a second side rail disposed on the second side of the table top, the first side rail and the second side rail extending at least a majority of a length of the table top, the first side rail including an upwardly extending portion that forms at least a portion of a first guide, the second side rail including an upwardly extending portion that forms at least a portion of a second guide;

an opening integrally formed in the downwardly extending lip as part of the unitary, one-piece construction;

a drawer directly coupled to the first side rail and the second side rail of the frame, the drawer being movable between an open position and a closed position, the drawer being at least partially disposed within the opening in the lip, the drawer

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including a first outwardly extending flange that is sized and configured to contact the first guide of the first side rail of the frame to facilitate opening and closing of the drawer, the first flange being integrally formed with the drawer as part of a unitary, one-piece construction, the drawer including a second outwardly extending flange that is sized and configured to contact the second guide of the second side rail of the frame to facilitate opening and closing of the drawer, the second flange being integrally formed with the drawer as part of a unitary, one-piece construction;

Thus, amended Claim 78 positively recites the drawer is directly coupled to the first side rail and the second side rail of the frame. In addition, Claim 40 positively recites the drawer includes a first outwardly extending flange that is sized and configured to contact the first guide of the first side rail of the frame to facilitate opening and closing of the drawer, the first flange being integrally formed with the drawer as part of a unitary, one-piece construction, the drawer including a second outwardly extending flange that is sized and configured to contact the second guide of the second side rail of the frame to facilitate opening and closing of the drawer, the second flange being integrally formed with the drawer as part of a unitary, one-piece construction.

The Arnoff, Williams, Pinch, Forsgren and Wu patents do **not** teach, suggest or disclose, *inter alia*, **a drawer directly coupled to the first side rail and the second side rail of the frame.** In addition, the Arnoff, Williams and Pinch patents, however, do **not** teach, suggest or disclose, *inter alia*, a drawer including a first outwardly extending flange that is sized and configured to contact the first guide of the first side rail of the frame to facilitate opening and closing of the drawer, **the first flange being integrally formed with the drawer as part of a unitary, one-piece construction,** the drawer including a second outwardly extending flange that is sized and configured to contact the second guide of the second side rail of the frame to facilitate opening and closing of the drawer, **the**

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second flange being integrally formed with the drawer as part of a unitary, one-piece construction.

Accordingly, Applicants respectfully request that this Section 103(a) rejection of Claim 78 be withdrawn

CONCLUSION

In view of the foregoing, Applicants submits that Claims 40, 41, 44, 45, 46, 49, 50, 58, 59, 60 and 65-78 are allowable over the cited references and are in condition for allowance. Accordingly, Applicants requests that a Notice of Allowance be promptly issued.

If any further impediments to allowance of this application remain, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

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The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: June 9, 2008

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